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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
1875 New Hope Street  
Norristown, PA 19401  
215 270-1975

ORIGINAL  
(Red)

May 30, 1986

non responsive based on revised scope

Weston  
Weston Way  
West Chester, PA 19380

Re: Industrial Wastes  
NVF Company - Technical Products Division  
Kennett Square Borough, Chester County

Dear Mr. [REDACTED]

This is in response to your letter of April 21, 1986 to Mr. Robin Aitken, EPA, copy to Ms. Steele, DER, regarding the site remediation plan at the NVF Kennett Square plant.

We are particularly concerned about your statement that "the time schedule for construction of this dam will be consistent with the acquisition of off-site rights-of-way by Ms. Steele of PA DER". Apparently there must have been some misunderstanding as Ms. Steele did not tell NVF representatives or yourself that she would be responsible for the acquisition of the necessary rights-of-way or permission for the construction of the siltation dam. Her comment was that if problems were encountered getting authorization from the property owner, she would speak to the owner in your presence.

In addition, Ms. Steele said that she would try to get our Bureau of Waste Management to waive the 90 day storage requirement of any contaminated soil removed during the siltation dam construction, and try to expedite the issuance of the dams and waterway management permit such as not to delay construction of the dam.

With respect to the 90 day storage requirement of contaminated soil, please be advised that PCB's are not regulated under RCRA, and therefore, the 90 day storage requirement does not apply. PCB's are regulated by TOSCA which is an EPA program. Robin Aitken should be contacted regarding this matter.

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